#### Council Chambers, Municipal Building, Baraboo, Wisconsin Tuesday, December 14, 2021 – 7:00 p.m.

Mayor Nelson called the regular meeting of Council to order.

Roll call was taken.

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow Council Members Absent:

Others Present: Chief Schauf, Clerk Zeman, Adm. Bradley, J. Ostrander, M. Hardy, W. Peterson, members of the press and others.

The Pledge of Allegiance was given.

Moved by Wedekind, seconded by Kolb and carried to approve the minutes of November 23, 2021.

Moved by Petty, seconded by Ellington and carried to approve the amended agenda, removing NBR-1, Debbie Zirzow's request for excessive animals, NBR-8, amending the City's COVID-19 Policy, and amending the language for NBR-9 to "Consider entering a contract for development of the Strategic Plan". It was also noted by Ald. Kent that we are not reviewing or approving the actual plans at this meeting.

#### Compliance with the Open Meeting Law was noted.

#### **PRESENTATIONS** – None Scheduled.

**PUBLIC HEARINGS** - The Mayor announced that this is the published date and time to hear public comments concerning the request by the Sauk County Agricultural Society to rezone the Sauk County Fairgrounds with a Planned Development Overlay to allow them to redevelop a portion of the Sauk County Fairgrounds and replace some of their buildings on the Fairground, located at 700 Washington Avenue in the City of Baraboo.

No one spoke and the Mayor closed the Public Hearing.

#### **PUBLIC INVITED TO SPEAK** – No one spoke.

#### **MAYOR'S BUSINESS**

- The Mayor congratulated the following employees on their anniversaries with the City of Baraboo:
  - o John Morris, Public Works–10 years
  - o Megan Dorner, Patrol Officer–5 years
  - o Logan LaMasney, Fire Dept. Lieutenant-5 years

Congratulations to you all!

- The deadline to file all nomination paperwork for the spring election is Tuesday, January 4, 2022 at 5:00pm.
- The quickest and easiest way to see the COVID-19 data affecting Sauk County is by visiting this website: https://coviddata-saukpublichealth.hub.arcgis.com/

#### CONSENT AGENDA

#### Resolution No. 21-127

THAT the Accounts Payable, in the amount of \$701,819.42 as recommended for payment by the Finance/Personnel Committee, be allowed and ordered paid.

#### Resolution No. 21-128

Approve the appointment of Community Service Officers John Statz and Kathy Sanford as Humane Officers for the City of Baraboo pursuant to Code 12.13 and Wis Stats 173.

#### Resolution No. 21-129

**THAT** the December 28, 2021 Council meeting is cancelled.

Moved by Petty, seconded by Wedekind and carried that the Consent Agenda be approved-7 ayes (no vote, Plautz & Sloan)

#### **ORDINANCES ON 2<sup>ND</sup> READING** – None.

#### **NEW BUSINESS - RESOLUTIONS**

#### Resolution No. 21-130

Resolved by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

WHEREAS, the Common Council has reviewed the reports and recommendations of Police Chief Schauf and the City's Administrative Committee regarding the November 30, 2021, Tavern Operator License application filed with the City by Brittanee Leverenz, and

WHEREAS, Brittanee Leverenz was notified to appear at the December 14, 2021, Council meeting and was given an opportunity to speak to the Council on her behalf regarding her appeal request.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council deny Brittanee Leverenz's Tavern Operator License.

Moved by Thurow, seconded by Ellington and carried that Resolution No. 21-130 be approved-7 ayes (no vote, Plautz & Sloan)

## Resolution No. 21-131

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the 2022-26 Comprehensive Outdoor Recreation Plan (CORP) be approved as submitted by the Parks and Recreation Commission.

Moved by Ellington, seconded by Kolb and carried that **Resolution No. 21-131** be approved-9 ayes.

#### Resolution No. 21-132

#### Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT Bike Wisconsin be permitted to camp overnight in the Civic Center gymnasium, meeting rooms 11 & 12, and outside lawn on June 16, 2022.

Moved by Ellington, seconded by Wedekind and carried that Resolution No.21-132 be approved-9 ayes.

#### Resolution No. 21-133

#### Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the City Administrator and the City Clerk are hereby authorized to execute on behalf of the City the Agreement between the City of Baraboo and the Baraboo Broadcasting Corporation for 2022 for the amount of \$25,000.

Moved by Petty, seconded by Kent and carried that **Resolution No.21-133** be approved-9 ayes.

#### Resolution No. 21-134

Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

WHEREAS, Wisconsin Statute 7.30 requires that election inspectors be named prior to December 31st of all odd numbered years.

NOW THEREFORE BE IT RESOLVED that the following election officials are appointed for 2022-2023 elections.

#### **Board of Canvassers**

Stephanie Christiansen Mary Petrie

Brenda Zeman, City Clerk

#### **Tabulator Alternates**

Lori Laux Bonnie Meeker

Jessie Atkinson

FURTHER, that the election worker wages be set at \$9.75 per hour for election inspectors and \$10.75 per hour for chairpersons effective January 1, 2022

Moved by Wedekind, seconded by Petty and carried that **Resolution No.21-134** be approved-9 ayes.

#### Resolution No. 21-135

## Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

THAT the Shared Ride Taxi Service lease agreement is renewed for the City of Baraboo with Abby Vans, Inc. beginning January 1, 2022 – December 31, 2022.

Moved by Ellington, seconded by Petty and carried that **Resolution No.21-135** be approved-9 ayes.

#### Resolution No. 21-136

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WHEREAS, the needs to develop its first comprehensive strategic plan to meet the future short-term and long-term needs of the city,

WHEREAS, stakeholder input is critical to achieving a strategic plan that meets the needs of the community,

WHEREAS, recognizing the limited fiscal resources of the City and prioritizing that as a basis for a real and achievable strategic plan is a key element for success,

WHEREAS, having a mechanism for monitoring the success and key performance indicators developed and in place as a part of the strategic plan is critical to ensure the plan is being followed and implemented,

NOW, THEREFORE BE IT RESOLVED, the City Administrator and City Clerk are hereby authorized to enter into a contract with Redevelopment Resources for their Strategic Planning Proposal dated December 8, 2021, in the amount of \$14,405.

**BE IT FURTHER RESOLVED**, that this shall be paid for by charging \$10,000 to the general fund and the remaining \$4,405 shall be charged back to each TID accordingly.

Moved by Wedekind, seconded by Kolb and carried that **Resolution No.21-136** be approved-9 ayes.

#### Resolution No. 21-137 RESOLUTION DECLARING INTENT

#### RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF BORROWING

WHEREAS, the City of Baraboo, Sauk County, Wisconsin (the "Issuer") plans to undertake a borrowing for TID #12 (the "Project");

WHEREAS, the Issuer expects to finance the Project on a long-term basis by issuing taxexempt bonds or other tax-exempt obligations (collectively, the "Bonds");

WHEREAS, because the Bonds will not be issued prior to commencement of the Project, the Issuer must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Bonds; and

WHEREAS, the Baraboo City Council (the "Governing Body") of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to advance moneys from its funds on hand on an interim basis to pay the costs of the Project until the Bonds are issued.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Issuer that:

Section 1. Expenditure of Funds. The Issuer shall make expenditures as needed from its funds on hand to pay the cost of the Project until proceeds of the Bonds become available.

Section 2. Declaration of Official Intent. The Issuer hereby officially declares its intent under Treas. Reg. Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$4.5 million.

<u>Section 3. Unavailability of Long-Term Funds</u>. No funds for payment of the Project from sources other than the Bonds are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Issuer pursuant to its budget or financial policies.

<u>Section 4. Public Availability of Official Intent Resolution</u>. The Resolution shall be made available for public inspection at the office of the Issuer's Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Bonds are issued.

<u>Section 5. Effective Date</u>. This Resolution shall be effective upon its adoption and approval.

Moved by Petty, seconded by Wedekind and carried that **Resolution No.21-137** be approved-9 ayes.

#### Resolution No. 21-138

#### Resolved, by the Common Council of the City of Baraboo, Sauk County, Wisconsin:

- 1. The Common Council hereby declares its intention to exercise its police power under Section 66.0703, Wis. Stats., to levy special assessments upon property in the assessment districts hereafter described for benefits conferred upon such property by reason of the following public work and improvements: 2022 Street Improvement Projects.
- 2. The property to be assessed lies within the following described assessment district:

#### ASSESSMENT DISTRICTS

#### **New Sidewalk** – That property on:

- Oak Street (between 15th & Madison) approximately 4,030 sq. ft.
- Mine Road (between Walnut & Silver) approximately 2,580 sq. ft.
- Silver Drive (between Mine & Parkside) approximately 1,350 sq. ft.
- Badger Drive (from Hitchcock to the east) approximately 2,293 sq. ft.
- Russell Street (from Rachel to Lynn) approximately 5,514 sq. ft.

#### **New Curb & Gutter** – That property on:

- Oak Street (between 15<sup>th</sup> and Monroe) approximately 430 feet.
- 3. The total amount assessed against the properties in the described assessment district shall not exceed the total cost of the improvements.
- 4. The City Council determines that the improvements constitute an exercise of the police power for the health, safety and general welfare of the municipality and its inhabitants.
- 5. The City Engineer shall prepare a report which shall consist of:
  - (A) Final plans and specifications for the improvements.
  - (B) An estimate of the entire cost of the proposed improvements.
  - (C) A schedule of proposed assessments.

- 6. When the report is completed, the City Engineer shall file a copy of the report with the City Clerk for public inspection.
- 7. Upon receiving the report of the City Engineer, the Clerk or her designee shall cause notice to be given stating the nature of the proposed improvements, the general boundary lines of the proposed Assessment District, the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as Class 1 notice under ch. 985, Wis. Stats, and a copy shall be mailed, at least 10 days before the hearing, to every interested party whose address is known or can be ascertained with the reasonable diligence.
- 8. The hearing shall be held in the Council Chambers of the City Hall at 101 South Blvd, Baraboo, WI 53913 on January 11th, 2022 at 7:00 p.m. in accordance with Section 66.0703 (7)(a), Wis. Stats.
- 9. The assessment against any parcel may be paid in cash or in annual installments in accordance with the City of Baraboo Sidewalk Policy and Special Assessment Procedure.

Moved by Ellington, seconded by Kierzek and carried that Resolution No.21-138 be approved-9 ayes.

#### **NEW BUSINESS – ORDINANCES**

Moved by Petty, seconded by Ellington and carried unanimously to approve the 1st reading of Ordinance No. 2584 amend §12.05(1) (2) of the Municipal Code of the City of Baraboo, Sauk County, Wisconsin related to the licensing of Special Events.

THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

WHEREAS, §12.05(1) and (2) of the Municipal Code for the City of Baraboo shall be amended to read as follows:

- (1) DEFINITIONS. As used in this ordinance, the following terms have the following meaning:
- (a) "Applicant" means the person applying for the special events license.
- (b) "City Property" includes all buildings, parks, parking lots, streets, sidewalks and other rights-ofway and any other property owned, leased, managed or controlled by the City of Baraboo.
- (c) "Extraordinary services" means reasonable and necessary services provided by the City which specifically result from the special event. Extraordinary services result in measurable financial costs which are above and beyond the normal levels of public health and safety services on a non-event day. Extraordinary services will normally be those services requiring city employees to be specifically assigned to tasks in support of the special event and/or those services resulting in overtime pay or similar costs which result from the event. Examples of extraordinary services may include police protection, traffic control, fire monitoring, parks services, and other services necessary to ensure the protection of participants and citizens, the proper functioning of City services, and the proper administration of this ordinance. The City will make reasonable efforts to adjust the schedules of employees to minimize the requirement for overtime pay or other costs for extraordinary services where sufficient advanced notice of the event is provided.
- (d) "Multiple day event" means a special event that occurs on more than one day, where the days are consecutive or at a consistent interval), at the same start and end time and at the same location (e.g.,

an event occurring on a consecutive Saturday and Sunday from 9:00 am until 5:00 pm or an event occurring three Tuesdays in a row from 5:00 pm until 8:00 pm) One special event license will be issued for a multiple day event.

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- (e) "Normal and ordinary use" means the way City property should normally and ordinarily be used. Whether an event is considered within the normal and ordinary use of the property is determined by the City department that maintains jurisdiction over the property.
- (f) "Public right-of-way shall mean all highways, streets, alleys, sidewalks and public parking lots within the City of Baraboo.
- g) "Special event" or "event" means a temporary gathering of people for a planned occurrence on City property such as, but not limited to, festivals, concerts, demonstrations, rallies, performances, parades and athletic events, which are not within the normal and ordinary use of that place or which, by the nature of the event, may have a greater impact on City services or resources than would have occurred had the event not taken place. A special event may also occur on private property if it will affect, impact or interfere with the normal and ordinary use of City property by the general public within the vicinity of the event and/or will require the use of extraordinary services. A special event may be a single day event or a multiple day event. The City Administrator or designee shall have the exclusive authority to determine whether or not a license is required for any particular event should there be a question about whether an event meets this definition. The following events are excluded from meeting the definition of being a special event:
- 1. Funeral processions;
- 2. Events organized solely by the City and where the City is the applicant;
- 3. Events which enter into a separate and specific agreement, which is approved by the Common Council, to hold the event pursuant to the terms of the individual agreement. The Council is authorized to modify the terms or requirements of this Ordinance within such an agreement, provided the modifications meet the spirit if not the letter of this Ordinance.

#### (2)LICENSE REQUIRED.

<u>License Required</u>. No person or entity acting as an event organizer shall set up for, (a) hold, or conduct a Special Event within the municipal boundaries of the City of Baraboo without first obtaining a Special Event license.

#### (b) License Submittal Date.

- 1. License requests are deemed submitted to the City when the City Clerk receives the application form, application fee and proof of insurance.
- 2. License requests must be submitted at least thirty (30) calendar days prior to the event for those events involving the use of a public right-of-way or if the applicant intends to request a waiver of costs for extraordinary services; for events not involving a public right-of-way or a requested waiver of costs, the license request must be submitted at least fourteen (14) calendar days prior to the event.
- 3. Applicants requesting the closure of any public right-of-way or a portion of it within the City of Baraboo must meet with designated City staff within seven (7) days of submitting the application, to be scheduled by City staff.
- (c) Application Form. License requests must be submitted on an application form supplied by the City Clerk. The form must be complete and must contain a detailed map or diagram indicating the specific location and layout of the event. The map must also include any proposed closure of any public right-of-way and the proposed route and

- direction of route, including all turns and the number of traffic lanes to be used, if applicable.
- (d) Application Fee. A license application fee shall be set by the Common Council and listed in the City's Official Fee Schedule. The fee is due in full for a license request to be deemed submitted to the City. The application fee is non-refundable unless the application is denied because it is submitted late. Events sponsored entirely by a registered non-profit organization or government entity are exempt from paying an application fee.

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- Insurance. Applications must be accompanied by a certificate of insurance showing that (e) the applicant is covered by general liability insurance by an insurance company licensed to do business in Wisconsin in the minimum amount of \$300,000 for the injury or death of one person, \$50,000 for property damage, and an aggregate of \$1,000,000 coverage for the event. Additional insurance many be required depending on the nature of the event and as determined by the City, which will be communicated to applicant by the City Clerk at least ten (10) calendar days prior to the event. If additional insurance is required, the applicant must provide the City Clerk with a certificate of insurance in the required amounts at least five (5) calendar days prior to the event. All certificates of insurance must list the City of Baraboo as an additional insured.
- (f) Additional Licenses, Permits and Fees. The applicant is solely responsible for ensuring the event has all other necessary license, permits and variances prior to the event including, but not limited to, alcohol licenses, vendor permits, noise variances, etc.
- (g) Applicant Requirements. Applicants must be at least 18 years of age or older. If the applicant is a corporate or government entity, the application must be signed by an authorized agent of the entity. The applicant must agree to indemnify, defend and hold harmless the City of Baraboo as it pertains to the event.
- Public Right-of-Way Closing. If the City grants a Special Events license that involves (h) the closing of any public right-of-way in the City of Baraboo, the applicant must notify in writing all owners and occupants of property located on or adjacent to the public right-of-way to be closed The notice must include a description of the event, the public right-of-way that will be closed, the dates and times of closure and any related parking restrictions. The applicant must submit a draft notice with the application and a proposed list of owners/occupants that will be provided with the notice. Upon granting of the Special Events license, the City will approve the notice of public right-of-way closure and list of those to be notified, with any revisions. The applicant shall deliver the notice to the owners/occupants within five (5) calendar days of the Special Event and provide the City with an affirmation that such delivery has been made before the event. Acceptance of Application. Applications not meeting the requirements of this ordinance shall be denied by the City Clerk.
- (i) Application Review. Applications are reviewed by employees from the following City departments: Administration, Finance (City Clerk), Fire, Parks, Recreation & Forestry, Police and Public Works. Each department will recommend either approving or denying the application. The City Clerk will issue the license only upon receiving a recommendation for approval from all departments. Each department must recommend approving or denying an application based on the information relevant to

that department. A department's decision to recommend approving or denying an application may be based on, but is not limited to, the following:

- 1. Use of department resources,
- 2. Costs to the department,
- 3. Any perceived public health or safety problems related to the department or jurisdiction covered by the department,
- If the applicant has a history not complying with this ordinance, including past 4. failures to pay the application fee or costs, and/or other applicable rules or regulations.

If a recommendation for denial is made by a department, an explanation must be provided to the City Clerk who will then provide them to the applicant upon their requestt.

- (j) Priority. All license requests are accepted first come, first served. For purposes of determining the priority of an application, any amendment, revision or resubmittal of a license application shall become the date the license request is submitted to the City Clerk.
- (k) Waiver. Some or all of the license requirements may be waived in cases where the United States Secret Service or other government entity notifies the City of a proposed event in which it will be assisting with security details. It will be at the discretion of the City Administrator which requirements will be waived.

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

The amended Ordinance shall take effect upon passage and publication as provided by law.

Moved by Wedekind, seconded by Petty and carried, 1-abstain (Thurow), to approve the 1st reading of Ordinance No. 2585 amending §17.18(4)(d) and the Zoning District Map of the Baraboo Municipal Code for the entire Sauk County Fairgrounds at 700 Washington Avenue as a Planned Unit Development and approving the General Development Plan (GDP).

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section 17.18(4)(d), Code of Ordinances, is amended as follows: 1.

### 17.18 ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF ZONING **DISTRICT MAP**

- DISTRICT BOUNDARIES AND MAP AMENDMENTS. (4)
  - (d) Planned Unit Development. The following Planned Unit Development is approved and incorporated into the zoning map: 2021-03.

2. The attached General Development Plan / Specific Implementation Plan is approved as Planned Unit Development 2021-03.

This Ordinance shall take effect upon passage and publication as provided by law.

Moved by Ellington, seconded by Wedekind and carried, 1-abstain (Thurow), to approve the 1<sup>st</sup> reading of **Ordinance No. 2586** considering the Specific Implementation Plan for the Planned Unit Development at Sauk County Fairgrounds at 700 Washington Avenue

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DOES ORDAIN AS FOLLOWS:

2. Section 17.18(4)(d), Code of Ordinances, is amended as follows:

# 17.18 <u>ESTABLISHMENT OF DISTRICTS AND INCORPORATION OF ZONING DISTRICT MAP</u>

- (4) DISTRICT BOUNDARIES AND MAP AMENDMENTS.
  - (d) Planned Unit Developments. The following Planned Unit Development is approved and incorporated into the zoning map: 2021-04.
- 2. The attached Specific Implementation Plan is approved as part of Planned Unit Development 2021-04.
- 3. This Ordinance shall take effect upon passage and publication as provided by law and have an effective date commensurate with the sale of said property.

Moved by Ellington, seconded by Petty and carried unanimously to approve the 1<sup>st</sup> reading of **Ordinance No. 2587** creating §13.19 Lead Service Line Replacement in the Baraboo Municipal Code.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DOES ORDAIN AS FOLLOWS:

1. Section 13.19 of the Baraboo Municipal Code of Ordinances is hereby created as follows:

#### 13.19 LEAD SERVICE LINE REPLACEMENT.

- (1) INTENT AND PURPOSE. The Common Council finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead service lines in use within and attached to the City water system, and, to that end, declares the purposes of this section to be as follows:
  - (a) To ensure that the water quality at every tap of a City water customer meets the water quality standards specified under federal and state law;
  - (b) To reduce the lead in City drinking water to meet the Environmental Protection Agency standards and ideally to a lead contaminant level of zero in City drinking water for the health of City residents; and

- (c) To eliminate the constriction of water flow caused by mineral rich groundwater flowing through lead service pipes and the consequent buildup of mineral deposits inside those lead pipes.
- (2) DEFINITIONS. Definitions of terms used in this section are provided below:
  - (a) "City water system" means the water supply system owned by and located within the City.
  - (b) "Customer service line" means the portion of a water service line that extends from the outlet of the curb stop to the inlet of a customer's water meter.
  - (c) "Lead service line" means (i) all or a portion of a water service line constructed of lead, and/or (ii) all or a portion of a water service line constructed of galvanized iron that is or was connected to a water service line constructed of lead. The term includes both customer service lines and utility service lines.
  - (d) "Utility" means the Baraboo Water Utility.
  - (e) "Utility service line" means the portion of a water service line from the water main to the outlet of the curb stop, including the curb stop, but not the outlet joint of the curb stop.
  - (f) "Water service line" means the service line the extends from the water main to a customer's water meter.
- IDENTIFICATION OF LEAD SERVICE LINES. (3)
  - (a) The Utility shall create and maintain a record of the location of all identified lead service lines in the City.
  - (b) Utility representatives shall have the right, upon the presentation of credentials, to request to enter a property connected to the City water system at any reasonable time and inspect that property's customer service line. Any person or entity who owns, manages or otherwise exercises control over a property connected to the City water system shall allow the Utility to inspect the customer service line. If entry is refused, the Utility shall obtain a special inspection warrant under Wis. Stats. § 66.0119.
  - (c) The Utility shall provide written notice to any person or entity who owns, manages or otherwise exercises control over a property connected to the City water system if that property has been inspected and determined to have a lead service line.
- LEAD SERVICE LINE REPLACEMENT REQUIREMENT. (4)
  - (a) All existing lead service lines that are connected to the City water system must be replaced with water service lines constructed of materials approved by the City.
  - (b) Existing lead service lines that are connected to City water mains or Utility service lines that will be replaced or reconstructed as part of a City construction project must be replaced in conjunction with that City construction project. No lead

- service lines shall be reconnected to a City water main or a Utility service line that was replaced or reconstructed.
- (c) Existing lead service lines that develop a leak or otherwise need repair may not be repaired but must be replaced.
- (d) Other lead service lines shall be replaced in accordance with a schedule developed by the Utility. The schedule shall be developed to eliminate all lead service lines in the City by October 1, 2036.
- (e) Property owners shall replace their customer service lines that meet the definition of a lead service line according to the schedule developed by the Utility. The City or Utility or both may issue citations and penalties prescribed by City ordinance on a property owner that fails to replace their customer service line that meet the definition of a lead service line as required by the schedule.
- (5) FINANCIAL RESPONSIBILITY AND ASSISTANCE.
  - (a) A property owner shall be responsible for the cost of replacing the portion of a lead service line that is a customer service line that serves their property. The Utility shall be responsible for the cost of replacing all lead service lines that are Utility service lines.
  - (b) The City may establish a program to provide financial assistance to property owners replacing lead service lines.
- (6) AUTHORITY TO DISCONTINUE SERVICE. As an alternative or in addition to any other methods provided for obtaining compliance with this section, the Utility may, after giving at least sixty (60) days' notice, discontinue water service to a property served by a customer service line that meets the definition of a lead service line provided the property owner has first been given reasonable opportunity to make the required replacement.
- 2. This Ordinance shall take effect upon passage and publication as provided by law.

#### ADMINISTRATOR AND COUNCIL COMMENTS

Adm. Bradley thanked Chief Schauf and Chief Stieve for their work the last few days. We are very appreciative of all the work done by the police, fire, public works and parks departments.

#### REPORTS, PETITIONS, AND CORRESPONDENCE

The City officially acknowledges receipt and distribution of the following:

- Reports: November, 2021 Building Inspection, Fire Department
- Minutes from the Following Meetings:

Finance/Personnel Committee-Dennis Thurow Committee Room, #205 November 23, 2021

Members Present: Sloan, Kent, Petty

Absent:

Others Present: Mayor Nelson, Adm. Bradley, Clerk Zeman, J. Ostrander, T. Pinion, W. Peterson, P. Cannon, M.

Schauf, L.Laux

<u>Call to Order</u> –Ald. Sloan called the meeting to order at 5:45p.m. noting compliance with the Open Meeting Law. Moved by Petty, seconded by Sloan to approve the amended minutes of November 9, 2021 by correcting the word "municipalities" under action item "C". Motion carried unanimously. Moved by Kent, seconded by Petty to approve the agenda and carried unanimously.

#### **Action Items**

- a) Accounts Payable Moved by Petty, seconded by Kent to recommend to Council for approval of the accounts payable for \$1,088,537.69. Motion carried unanimously.
- b) Towing Contract Chief Schauf explained that the City enters into a contract for towing services. Obviously the police department is the largest consumer of this service; however, several years ago we started making sure that the contract would cover other city needs such as PW trucks and any FD needs. Craig's is a relatively new vendor to the area and was not considered last time because he did not have the ability to tow heavy trucks. Craig's has enhanced their fleet and now have the ability to tow and/or manipulate any of the equipment the City has. Five proposals were sent out to local vendors and only two bids were received. Both firms submitted the exact same amount. It was reviewed and recommended by the Public Safety Committee to recommend awarding the contract to Craig's Towing for a 3-year contract. Moved by Kent, seconded by Petty to recommend to Council for approval of the three-year contract with Craig's Towing for the police department towing contract. Motion carried unanimously.
- c) Water Tower W. Peterson noted that this is a 2022 project that was bid early because of some concern that some of the painting contractors would have their schedules filled by early Spring. A total of 7 bids were received. LC United came in with the low bid, under budget, and has history here in Baraboo because they painted the Mine Street tower. Moved by Petty, seconded by Kent to recommend to Council approving the Base Bid of \$448,300 and Alternate Items of \$33,580 for the Rehabilitation of the Hwy A Water Tower in the total amount of \$481,880 and award the contract to the lower bidder, LC Unite Painting. Motion carried unanimously.
- d) <u>Civic Center Lease</u> Adm. Bradley noted that one slight change to the contract is removing the 2% COLA; this has been reviewed by the City's legal counsel. Moved by Kent, seconded by Petty to recommend to Council to approve entering a lease with the Wisconsin Department of Administration for office space rental for department of Natural Resources staff at the Civic Center Room 10. Motion carried unanimously.
- e) Weights & Measures The Committee reviewed the 2021 Annual Weights & Measures assessments. This is an annual contract with the State to provide these services; local businesses are then responsible for paying for this service based on the number of devices and inspections completed. Moved by Petty, seconded by Kent to recommend to Council approving the Weights & Measures for 2021. Motion carried unanimously.
- f) Assessor Services B. Zeman explained that our current contract with Tyler Technologies, Inc. is set to expire on December 31, 2021. The clerk's office sent out proposals to five different firms, only two proposals were returned. A committee of five staff, including one alderperson reviewed the proposals. Staff on the review committee had worked with both firms; however, given the difference in price, it was recommended that we go with Accurate Appraisal, LLC for a maintenance contract of 3 years. Moved by Kent, seconded by Petty to recommend to Council approving the agreement with accurate Appraisal, LLC for assessor services for 2022-2024 for the amount of \$29,900 annually. Motion carried unanimously.
- g) Tax Incremental Finance (TIF) Adm. Bradley explained that there were some errors in the filing of the TIF assessed values, primarily in TIF #8. What was initially being proposed is possible closing TIF #6, #8, and #9. We can no longer close TIF #8 because of a mess up in the evaluation. TIF #6 includes Wal-Mart and because we were not able to get the appraisal value in this year, we will hold off on closing TIF #6. All of the increment in TIF #6 will pay off the debt for TIF #8. TIF #9 will be paid off by the excess revenue in TIF #6. The last expenditure period for TIF #9 is December 31, 2022; at this time, it's pointless to continue operating TIF #9 because it does not generate any revenue. Motion by Petty, seconded by Kent to recommend approving the 2022 TIF reports for the City's Tax Incremental Districts.
- h) 2022 Budget- The Committee reviewed the following 2022 Budgets:
  - 1. Alma Waite in the amount of \$12,696.
  - 2. Airport in the amount of \$1,013,008.
  - Community Development Authority:
    - Donahue Terrace Apartments f. Revolving Economic Dev. a.
    - Library Building Fund Corson Square Apartments b. g.
    - City Admin Building Fund TIF Incentive Fund h.

4. 5.

6.

n. Park Capital Equipment

q. Unfunded Pension Liability

x. Firefighters Retirement Fund

o. Park Amenities Capital

p. Liability Insurance

t. Library Segregated

v. Park Segregated

u. Library Building Fund

w. Oschner Park House

y. Friends of the Library

r. UW Campus

s. Kuenzi Estate

- Community Dev. Block Grant i. Capital Catalyst d. Façade Improvement e. Sanitary Sewer Utility in the amount of \$1,529,486 and set user charges accordingly. Water Utility in the amount of \$2,136,073 Stormwater Utility in the amount of \$704,613
- 7. Tax Incremental Finance (TIF) Funds for the City's Tax Incremental Districts.
- 8. Funds with sources of revenue other than levy:

  - Street Lighting b.
  - Park Impact/Development
  - d. Library Impact Fees
  - Police Impact Fees
  - Fire Impact Fees f.
  - Lead LSL Funds
  - Disaster Aid (ARPA)
  - Fire Equipment Replacement
  - Emergency Mgmt. Equipment Fund

  - Police Capital Equipment
  - Public Works Capital Equipment
- m. General Gov't/IT Capital Equipment
- Business Improvement District budget for \$47,900 and assessments to be levied. 9. 10. Tax levy for \$8,999,901 and adopt the 2022 City budget for a total of 17,822,289.

Motion by Petty, seconded by Kent to approve the 2022 budgets as a slate, item 1 through item 10, and recommend to Council for action. Motion carried unanimously.

#### **Information Items**

a. Finance Director J. Ostrander gave an update on the City's contribution for the 2021 Shared Ride Service, Baraboo Transit.

Adjournment - Moved by Kent, seconded by Petty and carried to adjourn at 6:44pm.

#### Baraboo BID Meeting Minutes

11/17/2021

Present:

Members:, A. Adams, K. Thurow, B. McDaniel, T. Sloan, B. Stelling, T. Wickus Additional: R. Nelson

Absent:

Members: S. Ramsey Brunker, S. Fay, M. Yount

President Fay called the meeting to order at 5:53 PM

Approval of October 2021 minutes: Sloan/Thurow, Carried

Adoption of Agenda:

- Motion to move Guest Speaker to Before Officer/Committee Reports and approve
  - Stelling/Sloan, Agenda Carried as amended

#### New Business (Amended agenda item):

- Guest Speaker Jack Vogel
  - o Move and renew transformer anchor on Oak Street
  - Hide the whole setup 0
  - Dig and re-pour concrete 0
  - o Necessary for vendors plugging in for events
  - New covers and wires providing improved weatherproofing
  - Will be similar to what is there already in appearance but across the street 0
  - County needs to approve
  - Can it be made better looking? 0
    - Bushes or other vegetative buffer
  - Why is BID alone in this?
    - Should the Chamber be involved?
    - Should this cost be split among various orgs?

- Why isn't the City covering this through infrastructure or some other budget?
- Can anything be added easily which could be handled in tandem with this project to reduce later costs?
- Not likely to be doable until spring
- Proposal cost of \$11,169.00

Officer/Committee: Report President: None Secretary: None Treasurer: None

Garlands are up around the square. Expect the invoice next month. Planters are done. Appearances:

Sleigh is decorated and set up. A. Schertz is going to provide sample basket with

greens to evaluate use for next year. Window decorating contest with DBI.

Business Development: None None Finance: None Parking:

Banner is up in conjunction with DBI. Christmas light parade support. DBI has Promotions:

provided all BID board members with two tickets to go to the Light Parade after-party

as thanks for BID's sponsorship.

#### Old Business:

BID involvement in street closures

- B. Zeman may be the point of contact we need to work with
- Comment from R. Nelson:
  - Seeking to impose more responsibility from entity running events
  - Paper notices or similar notice requirements

#### New Business:

- Nanny Park Receptacle Update
  - Many photos of the garbage in the receptacles
  - O Dan Romain was caught in the act
  - o Chief contacted him to notify he could be cited
  - He was not doing this as a business
  - o Problem should be resolved
- Business Development Survey
  - o M. Yount's project, but he is absent
  - Tabled
- Motion to move meeting time to 6 PM
  - o Motion by Thurow/McDaniel
    - Carried
- Approval of financials
  - Motion to approve financials: Thurow/McDaniel
    - Carried
- Approval of Vouchers
  - Downtown Baraboo Inc.
    - \$8,000.00
  - Don Rick Insurance
    - \$635.00
  - Dog Waste Depot
    - Dog waste bags
    - \$326.63
  - Waterfront Graphic Design
    - Downtown Baraboo banner design
    - \$50.00
  - Total: \$9,011.63
    - Motion to approve: Sloan/Stelling
      - Carried

#### Member Comments:

Invited to the after party after the night parade as sponsors

- A. Adams needs to find a replacement
- Birdies under new ownership
- Music store purchased
- Bella Goose has opened a pop-up shop in the popcorn store
- Weickgert building will be changed to Allure Hair Salon
- Shop next to Coffee Bean is moving out

#### Next Meeting Items:

- Discuss Hill's Wiring proposal
  - o Bidding question
  - o Payment by BID v. Other entities
- Motion to change next meeting to 12/15/21
  - o Stelling/McDaniel
    - Carried

Motion to adjourn at 6:47 PM by Thurow/McDaniel, carried.

#### Minutes of the Public Safety Committee Meeting

October 11, 2021

Members Present: Phil Wedekind, Tom Kolb and Mike Plautz. Others Present: Tom Pinion, Mark Schauf, Kevin Stieve, Tony Gilman, and Wade Peterson.

Call to Order - Committee Tom Kolb called the meeting to order at 1:02 P.M. at Baraboo City Service Center. Compliance with the Open Meeting Law was noted. It was moved by Wedekind, seconded by Plautz to approve the agenda as posted. Motion carried unanimously. It was moved by Wedekind, seconded by Plautz to approve the minutes of the August 30, 2021 meeting. Motion carried unanimously.

Public Invited To Speak (Any citizen has the right to speak on any item of business that is on the agenda for this meeting if recognized by the presiding officer.) – There were no speakers.

#### **Action Items**

Review and approve prioritization of prospection 2022/2023 Street Improvement Projects - Pinion stated that the list of prospective street reconstruction projects was included in the packet. He said that none of the prospective streets in 2022 need water main. Pinion said that money will be borrowed for the next two year street improvements and apply the remaining \$300,000 from the last bond issued, so theorically there will be \$1.8 million to spend over the next couple of years. It was stated that the School District would be responsible for curb, gutter, and sidewalk on Angle Street. Pinion said Oak Street 15th to Madison is the block and one-half without curb and gutter, so it would require curb and gutter, and perhaps sidewalk on one side, probably the east side, the west side has some topographic challenges. It as consensus of the Committee to prioritize the 2022 Street Improvements as follows:

1. Oak Street 6th St to 8th St

2. Hager Street Mine Rd to Hager St (50/50 Mill & Overlay with Town of Baraboo)

3. Angle Street 5<sup>th</sup> Ave to 6<sup>th</sup> Ave (west side of West School)

4. Elizabeth St. 8th St to 14th St.

5. Bascom Hill Draper St. west to dead end (Boo-U)

Oak Street 15th St. to Madison St. 7. 4th Street Camp St. to Elizabeth St.

Peterson said that the Utility should be able to fund most of the streets with water mains on the list in 2023. After a lengthy discussion, it was the consensus of the Committee to prioritize the 2023 Street Improvement Projects as follows:

Between 7th & 8th 1. Jefferson St

5th Street Wheeler St. to Jefferson St. (south side of East School0

2. 5<sup>th</sup> Street Jefferson St. to Washington Ave.

3. Maple Street Walnut St. to Vine 4. Ridge Street 2<sup>nd</sup> Avenue to Zoo Lane Madison Ave Draper St. to Crawford St. 5. 5. Madison Ave/St Crawford St. to East St.

6. 14th Street Elizabeth St Tuttle Street to Jefferson

- Review and approve prioritization of 2022 New Sidewalk Projects Pinion presented the proposed 2022 b. sidewalk project. Pinion proposed filling in the gaps in Victory Heights. The Committee agreed.
- Review and approve prioritization of 2022 Fire Department Capital Budget Stieve said 2022 calls for replacing the 3,000-gallon Tender, which is a 1995. Stieve said he has been gathering pricing, he has received two Marion Body, and Pierce. Pierce is \$425,000, with a bit of a discount to \$411,000 with prepay. He said Marion is at \$399,000 with a pre-pay and taking it to a show in March 2023 because they are 16+ months out for delivery; however, Marion would need a signed contract by the end of this month. Stieve felt it would be advantageous to do so, and the money is available. He stated that the equipment prices are changing every month, and they are not going down. Stieve said that there is some money in the capital budget; however, his confidence level is low that it will stay there; he would like to improve the training props area, we either another container, or roof trusses for the containers.
- Review and approve 2022 Water Utility Budget Peterson said with the water increase theoretically every d. penny that the department has would go to the Highway A tower project. He said that the project changed from \$500,000 to \$630,000 (more structural repairs and high price on removing lead based paint. He said that the plan is to bid out the project in October, and awarded in November. He will have better numbers for the budget after award. He said that the budget is balanced. He said that if ARPA moneys became available, Ridge Street is on possible street reconstruction list, and Utility could remove some water main from 1910 and roughly 20 lead
- Review and approve 2022 Sewer Utility Budget Peterson said this is a balanced budget. He said there would e. be no increase; however, he would like restructure the fixed base and volume rates to get closer to Baker Tilly suggestions. He said he would to add 6% to the fixed base and drop the volume rate \$.03 per thousand gallons. Peterson said the sanitary sewer lines were last televised in 2008 through 2010. He feels that there is enough change, things that have fixed, and things that are going bad that it should be done again. He said that part of the budget is to have 22 miles of camera work in 2022, 2023, and 2024 with an estimated \$85,000 per year. He said that would leave about \$33,000 to do some manhole restoration.
- Review and approve 2022 Storm Water Utility Budget Pinion said that there will be no increase in stormwater fees, the last time fees increased was in 2015. He said that the only real capital items would be the few incidental things in conjunction with the scheduled street reconstruction. He said that he is allotting money for three different detention basins. He said one is to upgrade the one by the high school junior varsity ball diamond, and two are areas that the City is looking at new wet detention facilities, one at Mary Rountree, and the other in the upper northwest corner of Ochsner Park. Pinion said the only other item is purchasing a leaf vac, both existing units are 2009, price being \$135,000-\$140,000. He said that a couple have been seen, and the newer versions are more employee friendly that allow them to ride on it and use remote controls, which would be far more efficient. He said that there is plenty of money for the purchase.
- Review and approve a Temporary Limited Easement on the south side of 8th Avenue at Park Street for the DOT's STH 33 Reconstruction Project is 2024 - Pinion presented the background for this item. He said two conditions of this for sure is that they do not disturb the existing monument, and they would have to restore anything disturbed in the rain garden. It was moved by Wedekind. Kolb amended the motion to approve the Temporary Limited Easement providing that the rain garden is restored and the monument is kept. Wedekind accepted the amended motion. Plautz seconded the motion. Motion carried unanimously.
- Review and approval of monthly Billing Adjustments/Credit for Sewer and Water Customers for September 2021 – It was moved by Wedekind, seconded by Plautz to approve billing adjustments/credit for September. Motion carried unanimously.

#### **Information Items**

- Discuss possibility of creating fees for certain Fire Department specialized responses Stieve said this is being researched. He said the biggest thing would be a rescue fee for Devil's Lake. He said that staff did meet with Town of Baraboo a few weeks ago, and they do have an issue with it because it affects them a lot. He said with the attorney's opinion and some of it is from the League as well, they frown against it, even though it is legal.
- b. Update on City of Baraboo's participation in an upcoming Dells-Delton Area Response Exercise Series (DARES) event in 2022 - Stieve said that he had a resolution approved in January to participate, actually last month, however, it was moved again because of COVID. He said it is scheduled for May 3 and 4, 2022, and they would continue to participate. He said he wanted to make the Committee aware of this.

#### Reports

- a. Utility Superintendent's Report
  - i. Staffing Updates No report.
  - Interconnection Agreement, but have not received a response, or counter offer. He said the agreement ended on September 18. Peterson said that they planned to remove the two 6-inch meters in the near future; however, last week he received a call from the DNR asking if there was any way that this could be worked out. He said that West Baraboo called the DNR asking if there was some kind state code that the DNR has to leverage the City not to do it. He said the DNR did do some checking and the PSC may have a rate structure completely separate for West Baraboo, it is MI-1 Schedule, part of our rate structure that was just approved. He said that he could not remove those two meters until he can get the PSC to remove that schedule from our list. He said that the Mayor has been talking with the West Baraboo Clerk and was told that the City is not responding, Peterson said that the City responds every time West Baraboo asks, and it is not the City holding the ball on this. Peterson said that the water main is all in at the Jackson Farm, the sanitary sewer; they tapped the lift station and set the first manhole today. He said within the next two weeks all sanitary sewer will be in to the first four projected units.

#### b. Street Superintendent's Report

- i. Staffing Updates Nothing to report.
- ii. Activity Report Gilman said that traffic striping has been a hot topic on social media with the yellow painting on curbs at T" intersections. He said staff met with legal representative from Boardman & Clark, he reviewed what was being done versus State Statue and found that the City did not paint as far as we could have technically, or should have legally. Street sweeping is in full swing with the leaves beginning to fall. We continue to sweep downtown every other Friday or the day prior to special events. He said leaf pickup starts next week. He said that October is the last month for "Monthly Brush Pickup" for 2021. Starting November 1 brush will be picked up on a requested basis.
- iii. Project Updates Gilman said four alleys are completed. He said \$23,762.52 remains for the Walnut/Lynn alley. He said intersection repairs has started. Gilman said J & J Underground would be replacing a 24" failed metal stormsewer line with a 30" concrete line this week. Gilman said that by the end of season the department intends to have all reconstructed streets dating back to 2009 properly crack sealed to prolong their lifespan.
- iv. Informational Items Gilman said that refuse/recycling/snowplowing alley parking issues was scheduled to be discussed this month. However, while discussing State Statues with the legal representative, it was determined that stopping within an intersection also applies to alleys, which are defined as "highways" by statue. He said that the department will begin by painting those no parking areas per state statue. He said that if the need arises to extend an area of No Parking for safety reasons, beyond what is defined by statue, he would bring it back to the Committee for review later. Downtown trash receptacles was then discussed. Pinion said that the discussion with the DOT regarding two access points have slowed to a snail's pace. Pinion gave update on staffing replacements for Jeff Mann and Dennis Biddick; he will be re-advertising the positions.

#### c. Police Chief's Report

- i. Staffing Update Schauf said the department is fully staffed at this time. He said that the department is down one in the office; however, that is being held open to help balance the budget.
- ii. Case Response Update Schauf said call volume is rather significant. He said that department is making good progress in some of the drug homes. He said that he believes that there is a tentative agreement now with Fourway First to move forward so that the City does not have to invest more legal fees. He said that there are still a lot of mental commitments happening. Schauf said that the Committee will be seeing a resolution for radios which will outfit the entire department and then they can go into a capital replacement plan.

#### d. Fire Chief's Report

- i. Monthly Incident Report Stieve said the monthly incident report would be in the Council packet.
- ii. Operations Study Update Data analysis is complete and in review. Lead person is setting up stakeholder meetings, and talking about doing a site visit.
- iii. Staffing updates Stieve said that the department is still at 34, with one on military leave. He said the department is always recruiting. He said one more informational item that may come to the Committee in the future in the form of a MOU is one newer firefighter is participating in the Sauk County Dive Team, and they have potentially opened it up to other people, not just law enforcement. Stieve said that the firefighters comes with experience, he is now on the LaCrossse Dive Team. He said that this would give

the department a trained person on staff. Stieve encouraged the Committee to read the article in the Municipality regarding the Policy Forum Group's study on Fire/EMS departments.

AJOURNMENT - It was moved by Wedekind, seconded by Plautz to adjourn at 2:20 p.m. Motion carried.

• Copies of these meeting minutes are on file in the Clerk's office:

Public Arts	10-28-2021	Airport	4-30-2021
Library	10-19-2021	Pink Lady Rail	8-3-2021
Bicycle Advisory	11-11-2021	Plan Comm	10-19-2021
Ambulance	10-27-2021		

Petitions & Correspondence Being Referred: None.

#### **CLOSED SESSION**

Moved by Kolb, seconded by Petty, to go into Closed Session. The Mayor will announce that the Council will go into Closed Session pursuant to §19.85(1)(c), Wis. Stat., to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (Council to consider 1-year performance evaluation of City Administrator Casey Bradley)

Council Members Present: Wedekind, Kolb, Plautz, Kent, Petty, Ellington, Sloan, Kierzek, Thurow Council Members Absent:

Others Present: Mayor Nelson

#### **OPEN SESSION**

Moved by Ellington, seconded by Thurow, to return to Open Session. The Mayor will announce that the Council will return to Open Session as per §19.85(2), Wis. Stats., to address any business that may be the result of discussions conducted in Closed Session.

Moved by Petty, seconded by Ellington to approve increasing the annual salary for Casey Bradley, City Administrator, to \$140,000 effective January 1, 2022. This increase includes the 2022 "Cost of Living" Adjustment" (COLA).

#### <u>ADJOURNMENT</u>

Moved by Kolb, seconded by Wedekind, and carried on voice vote, that the meeting adjourn.

Brenda Zeman, City Clerk	